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**To: Ram Shukla, Examiner****OFFICIAL**

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Date: March 15, 2004

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Re: Serial No.: 09/091,605  
Filing Date: 06/16/1998  
Group Art Unit: 1632  
Our Ref. X-09872 US

Notice of Appeal attached.

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Answers That Matter.

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES			ATTORNEY'S DOCKET NO. X-09872
SERIAL NO. 09/091,605	FILING DATE 06/16/1998	EXAMINER Shukla, Ram R.	GROUP ART UNIT 1632
IN RE APPLICATION OF Borts, et al.			
<p><b>TO THE COMMISSIONER FOR PATENTS:</b></p> <p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 17, 2003, of the Primary Examiner finally rejecting Claims 35-60.</p> <p>( ) Notice of Appeal fee not required (fee paid in prior appeal of this application)</p> <p>(X) Notice of Appeal fee \$330.00</p> <p>( ) Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:</p> <p>( ) One month (\$110.00) ( ) Two months (\$420.00) ( ) Three months (\$950.00)</p> <p>Please charge the fees indicated in the amount <u>\$330.00</u> to Deposit Account No. 05-0840.</p> <p>The Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840.</p> <p>Two copies of this sheet are enclosed.</p> <p><i>Caren D. Geppert</i> Caren D. Geppert Attorney for Applicant Registration No. 54,117 Phone: 317-651-4215</p> <p><b>ELI LILLY AND COMPANY</b> Patent Division P.O. Box 6288 Indianapolis, Indiana 46206-6288</p> <p><u>March 15, 2004</u></p> <p><b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.</p> <p><i>Kelly L. RAMSEY</i> Kelly L. Ramsey Signature</p> <p>Type or print name of person signing certification</p> <p><u>March 15, 2004</u> Date</p>			